

Date: July 21, 2003

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : Botstein, et al.
App. No. : 09/866,034
For : SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME
Filed : May 25, 2001
Examiner : L. Spector
Group Art Unit : 1647

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop INTERFERENCE, Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 21, 2003

(Date)

Sam K. Tahmassebi, Reg. No. 45,151

Mail Stop INTERFERENCE
Board of Patent Appeals and Interferences
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

AUG 04 2003

TECH CENTER 1600/2900

RECEIVED

JUL 25 2003

TECH CENTER 1600/2900

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 20, 2003 of the Primary Examiner finally rejecting Claims 27, 28 and 32-35. The items marked below are appropriate:

(X) An extension of time to respond to the final rejection for one (1) month is hereby requested.

Filing Fee:

☐ \$160 (small entity)
☒ \$320 (large entity)

Time Extension Fee (if applicable):

☒ one month (\$110 large entity)
☐ two months (\$410 large entity)
☐ three months (\$930 large entity)

(X) Enclosed is a check in the amount of \$430.

(X) Return prepaid postcard.

(X) Please charge any additional fees or credit overpayment to Deposit Account No. 07-0630.

Signature:

Sam K. Tahmassebi
Registration No. 45,151
Customer No. 30,313
(619) 235-8550

RECEIVED
2003 JUL 24 AM 10:20
BOARD OF PATENT APPEALS
AND INTERFERENCES

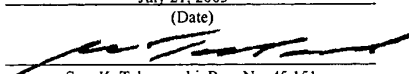
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Botstein et al.
Appl. No. : 09/866,034
Filed : May 25, 2001
For : **SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME**
Examiner : Spector, L.

Group Art Unit 1647

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO BOX 2327, Arlington, VA 22202, on

July 21, 2003
(Date)


Sam K. Tahmassebi, Reg. No. 45,151

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION BOX: AF

Dear Sir:

Applicants hereby appeal the Examiner's final rejection of Claims 27, 28, and 32-35, i.e., all of the pending claims of the above-captioned patent application, in the Final Office Action dated March 20, 2003, and reiterated in the Advisory Action dated July 3, 2003.

08/01/2003 RECEIVED 06500/2900 1600/2900

01 FC:1450
02 FC:14011600/2900
1600/2900

Appl. No. : 09/866,034
Filed : May 25, 2001

Applicants hereby petition for a one month extension of time, which extends the time period for filing the present Notice of Appeal to July 21, 2003, July 20, 2003 being a Sunday. Applicants have enclosed a check in the amount of \$430, which includes the Notice of Appeal fee of \$320 and the one month extension of time fee of \$110. If this fee is incorrect, the Commissioner is hereby authorized to charge or credit Deposit Account No. 07-0630.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

July 21, 2003

By:

Sam K. Tahmassebi

Sam K. Tahmassebi
Registration No. 45,151
Attorney of Record
Customer No. 30,313
(619) 235-8550

S:\DOCS\SKT\SKT-4009.DOC
072103